

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

P&O NEDLLOYD, LTD. and
LUIS A. AYALA COLON, SUCRS.,
INC.,

Plaintiffs,

v.

PLAZA PUERTO RICO MANAGEMENT
INC. (formerly DAKOTA IMPORTS,
INC.), and ROAD RUNNER SCOOTER,
INC.,

Defendants.

Civil No. 05-1786 (JAF)

SCHEDULING ORDER

This is a simple case of collection of monies (freight and other related charges). Under Fed. R. Civ. P. 16, as amended, the court is empowered to schedule and plan the course of litigation in order to achieve a just, speedy, and inexpensive determination of this simple action. Fed. R. Civ. P. 1; Fed. R. Evid. 102. In so doing, the court advises litigants that we firmly believe in the interplay of Fed. R. Civ. P. 7, 11, 16, and 26, as amended up to December 1, 2002.

Defendants are granted up and until **February 3, 2006** to enter a responsive pleading. In the event that the defendants fail to plead or otherwise defend as required by law upon expiration of the time for the filing of the responsive pleading, the plaintiffs will move for the entry of default and for judgment by default or otherwise, in strict compliance with Fed. R. Civ. P. 55, **not later than**

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February 13, 2006. In the event of the filing of responsive pleadings by the defendants, the plaintiffs will immediately request a status conference hearing so that counsel and the court can plan the future course of this simple litigation. Open-file discovery will be immediately provided to the appearing defendant. Said open-file discovery will include every single document which would be used at the trial of the action in order to prove the debt object of collection. A notice attesting as to the fact that open-file discovery has been provided will be filed forthwith.

In the event that a status conference is scheduled, the parties must appear prepared to discuss settlement, and with plans for the payment of the debt or other alternatives to put an end to the litigation.

Failure on the part of the plaintiffs to comply with the terms and conditions of this order will entail an immediate dismissal for lack of diligent prosecution. Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

San Juan, Puerto Rico, this 31st day of January, 2006.

S/José Antonio Fusté
JOSE ANTONIO FUSTE
Chief U. S. District Judge